

ORIGINAL

DOCKET FILE COPY ORIGINAL
RECEIVED

JUN 13 1997

Federal Communications Commission
Office of Secretary

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)

Advance Television Systems)
and Their Impact Upon The)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

PETITION FOR RECONSIDERATION

McAlister Television Enterprises, Inc., the licensee of Television Station KAMC, Lubbock, Texas ("McAlister"), by its counsel, hereby petitions the Commission to reconsider its Sixth Report and Order (the "Order") in the captioned proceeding.^{1/} In furtherance whereof, the following is shown.

Subsequent to the release of the Order herein, McAlister undertook fully to analyze the operational impact of its DTV allotment both in absolute and relative terms and with a view toward determining whether it ought seek to modify the DTV table of allotments in relevant respects. Such an undertaking is particularly critical for Station KAMC given, for instance, the fact that the power assigned to the station in the table is only 50.4 kw.

It is apparent that the requisite analysis cannot be completed at this time principally by reason of the failure of the Commission adequately to have revealed critical elements of the underlying methodology employed in developing its DTV table of allotments. That circumstance is fully demonstrated in the attachment hereto. There, the consulting engineer engaged by McAlister to perform the analysis in question unequivocally advises that it cannot now be achieved due to the absence of the requisite underlying data and information noted above.

^{1/} FCC 97-115, released April 21, 1997 (62 FR 26684, May 14, 1997).

No. of Copies rec'd
List A B C D E

24

Given the foregoing, McAlister respectfully requests that, upon reconsideration, the Commission suspend the effectiveness of the existing DTV table of allotments and defer the issuance of a further table until such time as McAlister is provided access to the requisite underlying data and information and afforded a reasonable opportunity further to assess relevant DTV allotments and offer comments thereon.

Respectfully submitted,

MCALISTER TELEVISION ENTERPRISES, INC.

By 

John R. Wilner
Edward S. O'Neill

Its Attorneys
Bryan Cave LLP
700 Thirteenth Street, N.W.
Washington, DC 20005
(202) 508-6000

June 13, 1997

44184v1

COHEN, DIPPELL AND EVERIST, P. C.
CONSULTING ENGINEERS

DONALD G. EVERIST
SUDHIR K. KHANNA
WARREN M. POWIS
JOHN R. URAM, JR.
ROBERT W. GUILL
WILSON A. LA FOLLETTE

RADIO-TELEVISION
1300 L STREET, N. W.
SUITE 1100
WASHINGTON, D. C. 20005
(202) 898-0111

JULIUS COHEN
(1913-1993)
RALPH E. DIPPELL, JR.
(1922-1992)
FACSIMILE
(202) 898-0895

E-MAIL:
CDEPC@WORLDNET.ATT.NET

June 13, 1997

Mr. Greg McAlister
Television Station KAMC
1201 84th Street
Lubbock, TX 79423

Re: MM Docket No. 87-268--KAMC, Lubbock, Texas

Dear Mr. McAlister:

Per your request, this is to report our evaluation of MM Docket 87-268¹ as it applies to the station KAMC(TV), Lubbock, Texas. This firm has studied the Sixth Report and Order and has performed many studies of existing NTSC and DTV service areas including KAMC(TV) using the Institute for Telecommunication Sciences² HDTV program.

Based upon the studies, we find that it is not possible to make an independent evaluation of the potential interference

- (1) by DTV to existing NTSC service area
- (2) DTV service replication
- (3) alternate DTV frequency assignments, and
- (4) alternate station parameters such as an increase in power.

There are several reasons for this technical dilemma. First, the Commission in the proposed Section 73.622 of the FCC Rules indicates that OET Bulletin 69 provides the basis by which the DTV model has been developed. Also, OET Bulletin 69 in Section 73.623 is referenced to provide guidance for interference calculations. Unfortunately, that document has not been released by the Commission. Further, the Commission has not yet released in detail initial technical evaluation criteria on how it proposes to process DTV applications for modified facilities whether it is for a change

¹MM Docket No. 87-268, "In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Services", adopted April 3, 1997.

²The HDTV Model uses the Longley-Rice propagation methodology and evaluates grid cell size of 0.75-1.5 km with 3-second terrain data intervals between every 90 to 100 meters at 1 degree intervals.

COHEN, DIPPELL AND EVERIST, P. C.

Mr. Greg McAlister
June 13, 1997
Page 2

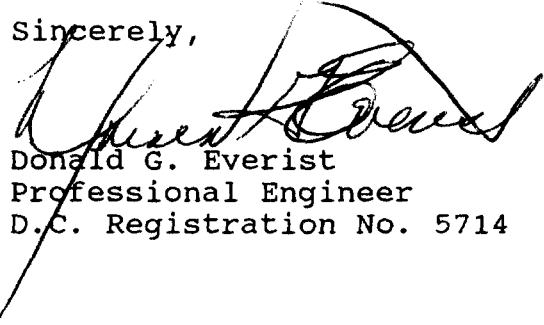
in site, increase in height, change in effective radiated power, etc.

Therefore, until these technical guidelines and criteria are provided by the Commission no meaningful evaluations can be performed for KAMC(TV).

We will perform these studies once this FCC technical information is available.

If there are any questions, please do not hesitate to contact this office.

Sincerely,



Donald G. Everist
Professional Engineer
D.C. Registration No. 5714

DGE:mcw
cc: Ed O'Neill